

UNITED STATES DISTRICT COURT

for the
Eastern District of Michigan

In the Matter of the Search of)
 (Briefly describe the property to be searched)
 or identify the person by name and address))
 18836 Negaunee, Redford Charter Township, Michigan)
 (more fully described in Attachment A))
)

Case: 2:20-mc-51343
 Judge: Friedman, Bernard A.
 Filed: 11-04-2020 At 03:32 PM
 Case No. IN RE:SEALED MATTER(SW)(MLW)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

See ATTACHMENT A.

located in the _____ Eastern _____ District of _____ Michigan _____, there is now concealed (*identify the person or describe the property to be seized*):

See ATTACHMENT B.

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

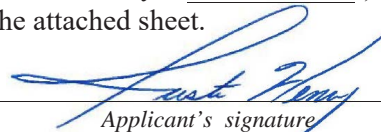
The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 USC § 922(g)(1)	Felon in possession of a firearm

The application is based on these facts:

See attached AFFIDAVIT.

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Justin K. Henry, Special Agent (ATF)

Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: November 4, 2020

City and state: Detroit, Michigan



Judge's signature

Hon. Anthony P. Patti, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Special Agent Justin Henry, being sworn, depose and state the following:

I. INTRODUCTION

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), United States Department of Justice, since May 2014. I am currently assigned to Detroit Group III. Prior to being employed as a Special Agent, I was a Police Officer with the Wayne State University Police Department for over six years. I am a graduate of the ATF Special Agent Basic Training Program and of the Oakland County Community College Police Academy. I have also earned a Masters of Arts Degree in Criminal Justice from Wayne State University.

2. I have participated in numerous criminal investigations focused on firearms and Title 18, United States Code, Section 922(g)(1), felon in possession of a firearm.

3. I make this affidavit from personal knowledge based on my participation in this investigation, with exception of the matters expressly stated, which are based on information received from other law enforcement officials and/or their reports and records. The information outlined herein is provided for the limited purpose of establishing probable cause, and does not contain all details or facts known to law enforcement pertaining to the investigation.

4. I, along with other law enforcement personnel, have developed probable cause to believe that Christopher PROE, DOB: XX/XX/1983, a felon, was in possession of a firearm, in violation of Title 18, United States Code, Section 922(g)(1).

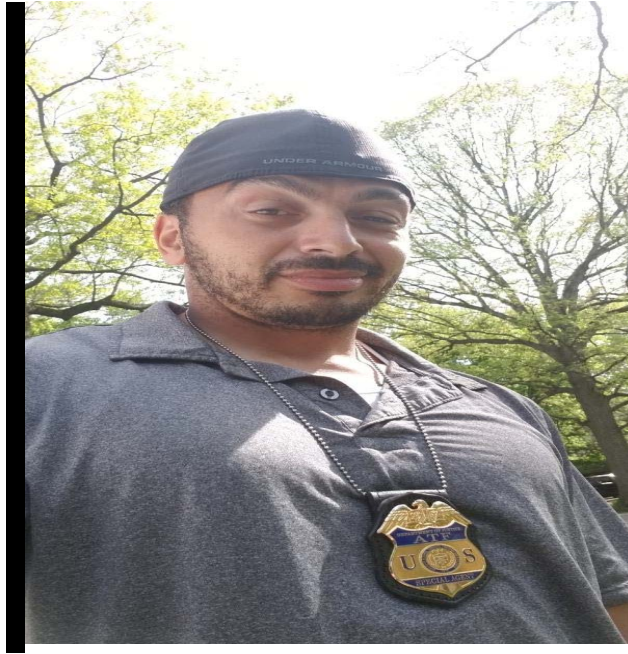
II. SUMMARY OF THE INVESTIGATION

5. In October 2020, your affiant, S/A Henry, received information from a Source of Information regarding Christopher PROE impersonating an ATF Agent and carrying a firearm. In November of 2020, S/A Henry received further information from two (2) additional Sources of Information corroborating the same information as to PROE impersonating an ATF Agent and carrying a firearm.

III. PROBABLE CAUSE

6. On October 30, 2020, S/A Henry, your affiant, was contacted by a Source of Information, herein referred to as SOI-1, with information regarding an ATF Special Agent. SOI-1 inquired about a subject named “Chris Conley”, who is employed as a Special Agent with ATF. “Conley” was described as a multi-racial male and approximately 35-38 years of age. SOI-1 further advised “Conley” is a supervisor in Detroit and usually works in an undercover capacity. SOI-1 advised he/she has observed “Conley” wearing an ATF badge and firearm on several occasions. SOI-1 stated “Conley” is typically wearing an ATF badge around his neck or belt, while simultaneously carrying a police radio, handcuffs and firearm.



SOI-1 also advised “Conley” also works in construction and drives a red Ford F-150 with black pinstripes (without a license plate). SOI-1 provided S/A Henry with the below photograph of “Chris Conley”.



7. Upon receiving the above information, and through the use of open-source queries, information received from other law enforcement officials and information received from SOI-1, S/A Henry was able to determine “Chris Conley” is an alias for Christopher PROE, date of birth: XX/XX/1983, a convicted felon.

8. The below photograph on file for PROE was retrieved from Michigan Digital Image Retrieval System (MiDIRS), which is a database used by law enforcement to obtain Michigan Secretary of State Driver’s License photographs,

is a match of the above photograph provided by SOI-1 as “Chris Conley”.

		Card issued in a horizontal format												
		ID # P 600 115 497 985 DOB Dec 27, 1983 Name CHRISTOPHER LEE PROE Address 330 E SCHAEFER RD PINCKNEY, MI 48169												
		<table border="1"> <tr> <th>Sex</th> <th>Height</th> <th>Eyes</th> </tr> <tr> <td>M</td> <td>5-09</td> <td>BRO</td> </tr> </table>			Sex	Height	Eyes	M	5-09	BRO				
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Issued	Printed	Expires												
Feb 16, 2018	Feb 21, 2018	Dec 27, 2021												
		Restrictions <hr/> DB Record Active Check SOS for current applicant data												

9. On November 2, 2020, S/A Henry received information that a separate Source of Information, herein referred as SOI-2, contacted ATF with information regarding a subject named Christopher PROE who uses an alias of “Chris Conley”. SOI-2 advised he/she works construction with PROE. SOI-2 advised PROE commonly wears an ATF badge and carries a firearm. SOI-2 advised he knows the firearm to be a Smith and Wesson Model: SD40VE or SD9VE. SOI-2 advised he knows the firearm to be a Smith and Wesson because he (SOI-2) used to own the same type of firearm. SOI-2 further advised he knows the firearm to be real because he/she has observed PROE manipulate the firearm and observed the firearm to function in the same capacity as a real firearm. SOI-2

advised PROE typically wears the firearm in a holster or in his waistband and if he is not carrying the firearm on his person, it is usually inside a black box located in his Red/ Burgundy Ford F-150 with black pinstripes. SOI-2 advised PROE lives in the area of 7 Mile and Inkster and he believes PROE's residence is on Negaunee, near 7 Mile, located in Redford, Michigan.

10. On November 2, 2020, S/A Kara Klupacs contacted an additional Source of Information, herein referred to as SOI-3. SOI-3 advised he/she used to work for Christopher Conley (PROE) and he knows PROE is impersonating an ATF Agent. SOI-3 has observed PROE with a silver Smith and Wesson pistol he typically carries on his person, either in a holster or just in his waistband and he last observed PROE with the firearm approximately one week ago. SOI -3 has seen PROE with several vehicles described as a gray Ford F-250, gray and white Ford F-250, and also with a 2019 red or burgundy Ford F-150 Sport with black pinstripes. SOI -3 advised PROE resides in Redford, Michigan and believes the street to be Negaunee. SOI-3 believes PROE to be associated with several other residences. SOI-3 has been to PROE's residence on Negaunee approximately two to three months ago. SOI-3 further advised he lives at the residence with his girlfriend and her 6-year-old daughter. SOI-3 advised he was knows PROE has detained people before using ATF authority.

11. On November 3, 2020, your affiant reviewed a National Crime Information Center (NCIC) computer printout regarding Christopher PROE's criminal history (CCH). The CCH revealed the following convictions:

- a. 2010 – Felony – Weapons – Concealed, from 3rd Circuit Court, Detroit, Michigan.
- b. 2011 – Felony - Sex Offender – Failure to Comply with Registration Act, from 3rd Circuit Court, Detroit, Michigan.
- c. 2012 – Conspire to Defraud Government Respect to Claim, Federal Court, Eastern District of Michigan.
- d. 2016 – Felony False Pretenses, from 6th Circuit Court, Oakland County.

**It should also be noted that PROE was convicted of the misdemeanor offense of Impersonating a Public Official twice in 2001, twice in 2010 and also once in 2011.*

12. PROE is currently of federal probation in the Eastern District of Michigan.

13. ATF Special Agent and Interstate Nexus Expert Joshua McLean determined the firearm described is considered a “firearm” as defined under Chapter 44, Section 921, and was manufactured outside the State of Michigan after 1898, therefore, traveling in and affecting interstate commerce.

**IV. AS TO 18836 NEGAUNEE, REDFORD CHARTER TOWNSHIP, MI
48240**



14. A query of open-source and law enforcement databases listed Christopher PROE to be residing at **18836 Negaunee, Redford Charter Township, Michigan.**

15. SOI -2 advised he knows PROE to reside in the area of 7 Mile and Inkster Road in Redford, Michigan. SOI-2 further advised he believes PROE to live on Negaunee Street.

16. SOI-3 advised PROE lives on Negaunee, located in Redford, Michigan. SOI-3 advised he has been at the residence and PROE lives with his girlfriend and her 6 year-old daughter.

17. On November 3, 2020 at approximately 5:40 p.m., while sitting on stationary surveillance at **18836 Negaunee, Redford Charter Township, Michigan**, S/A Henry observed a red Ford F-150 Sport, with black pinstripes and no license plate, as described by SOI-1, SOI-2 and SOI-3, parked in front of **18836 Negaunee**.

18. On November 4, 2020, while sitting on stationary surveillance at **18836 Negaunee, Redford Charter Township, Michigan**, S/A Henry and S/A Mark Davis observed a white Ford F-150 with connected trailer and the red Ford F-150 parked along the curb in front of **18836 Negaunee**. On November 4, 2020 at approximately 7:45 a.m., S/A Henry and S/A Davis observed Christopher PROE exit the front door of **18836 Negaunee** holding a bucket of tools, then proceed to the red Ford F-150 and leave the location.

19. Based on my training, experience, and extensive knowledge of this investigation, as well as information in this affidavit, I believe there is probable cause to believe that evidence of the Target Offenses, will be found at **18836 Negaunee, Redford Charter Township, Michigan, 48240**

V. TRAINING AND EXPIERENCE

20. Based on my training and experience, individuals who possess firearms often keep them on their person, and store them at the location where they reside or inside of their vehicle(s). I know that firearms and firearm parts are

durable and non-perishable goods. Therefore, firearms and firearm parts are expected to remain in the individual's possession for extended periods and are not quickly discarded.

21. I know, based on my training and experience, that because of his probation status as well as being a convicted felon, PROE is unable lawfully to possess a firearm. Accordingly, there is probable cause to believe that PROE obtained and possess the firearms described in the above paragraphs through unlawful means.

22. I know based upon training and experience that firearms traffickers often possess other items commonly used or acquired in connection with the sale of firearms and possess those items within their homes, automobiles, and numerous other places which they have access to and control over, so that they are easily accessible, and to hamper the activities of law enforcement. Some of these items include, but are not limited to, other firearms (*i.e.*, merchandise), firearm parts, ammunition, firearm receipts, firearm brochures or owner's manuals, records of sales or acquisition of firearms, firearms magazines, and holsters.

VI. MANNER OF EXECUTION

23. *Sealing of Documents.* I request that the Court order all documents in support of this application, including the affidavit and search warrant, be sealed until further order by the Court. These documents discuss an ongoing criminal


investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize the investigation.

VII. CONCLUSION

24. There is probable cause to believe that evidence, contraband, fruits and instrumentalities of federal criminal offenses, including: Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) will be found at the Target Location.

25. In consideration of the foregoing, I respectfully request that this Court issue a search warrant for the Target Location more fully described in Attachment A for the items listed in Attachment B.

Respectfully submitted,


Justin K. Henry, Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my presence
and/or by reliable electronic means.


HON. ANTHONY P. PATTI
UNITED STATES MAGISTRATE JUDGE

Date: November 4, 2020

ATTACHMENT A
Description of Location To Be Searched

Target Location: **18836 Negaunee, Redford Charter Township, Michigan**, which is in Eastern District of Michigan. Further described as a one story, single-family residence with off-white paneling and gray roofing. It is further described as a residence located on the east-side of Negaunee between 7 Mile and Clarita, with the numbers “18836” visible and attached to the structure. The Target Location to be searched includes any appurtenances to the real property that is the Target Location the Red F-150 Sport (usually parked in front of the residence) and any other vehicles on the property or curtilage at the time of the search.



ATTACHMENT B
Items To Be Seized

The Government is authorized to seize all information that constitutes fruits, evidence, or instrumentalities of violations of 18 U.S.C. §§ 922(g)(1) – Felon in Possession of a Firearm and violations of Impersonating a Police Officer, involving Christopher PROE, including but not limited to, information pertaining to the following matters:

- a. Any firearms and ammunition;
- b. Any photographs of any weapons, firearm, or ammunition;
- c. All evidence of firearms trafficking including any sale, transportation, possession or distribution of a firearm, including but not limited to records, papers, ledgers, tally sheets, stored electronic communication devices, mobile telephones, telephone numbers of customers, suppliers, or couriers and the stored electronic information containing within, other papers;
- d. Any digital media including but not limited to cell phones, digital cameras, computers, compact discs and flash drives that could contain photographs and contents therein;
- e. Items of identification and papers, documents and affects which establish dominion and control of the premises, including, but not limited to, driver's license, keys, mail, envelopes, receipts

for rent, bills from public utilities, photos, address books and similar items; and,

- g. Items of identification and papers, documents and affects which establish dominion and control of 18836 Negaunee, Redford Charter Township, Michigan, including, but not limited to, driver's license, keys, mail, envelopes, receipts for rent, bills from public utilities, photos, and address books.

Hon. Anthony P. Patti, U. S. Magistrate Judge
Printed name and title

Return

Case No.:

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

*Executing officer's signature*_____
Printed name and title